



INTERNATIONAL TRADE COMMISSION

Notice Of Receipt Of Complaint; Solicitation Of Comments

Relating To The Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Vehicular Smartwatch Systems, Related Software, Components Thereof, and Products Containing the Same, DN 3093*; the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing under section 210.8(b) of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.8(b)).

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at EDIS¹, and will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000.

General information concerning the Commission may also be obtained by accessing its Internet server at United States International Trade Commission (USITC) at

¹ Electronic Document Information System (EDIS): <http://edis.usitc.gov>

USITC². The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at EDIS³. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to section 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Intellectual Capital Consulting, Ltd. on October 26, 2015. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain vehicular smart watch systems, related software, components thereof, and products containing the same. The complaint names as respondents Hyundai Motor Company of South Korea; Hyundai Motor America of Fountain View, CA; Hyundai Motor Manufacturing Alabama of Montgomery, AL; General Motors Company of Detroit, MI; General Motors, LLC of Detroit, MI; Onstar, LLC of Detroit, MI; Bayerische Motoren Werke AG of Germany; BMW of North America, LLC of Woodcliff Lake, NJ; Volkswagen AG of Germany; Volkswagen Group of America, Inc. of Herndon, VA; Audi AG of Germany; Audi of America, Inc. of Herndon, VA; Audi of America, LLC of Auburn Hills, MI; Volvo Car Corporation of Sweden; Volvo Cars of North America, LLC of Rockleigh, NJ; Dr. Ing. h.c. F. Porsche AG of Germany; Porsche Cars North America, Inc. of Atlanta, GA; DEI Holdings, Inc. of Vista, CA; Directed Electronics, Inc. of Vista, CA; Samsung Electronics Co., Ltd. of Korea; Samsung Electronics America, Inc. of Ridgefield Park,

² United States International Trade Commission (USITC): <http://edis.usitc.gov>

³ Electronic Document Information System (EDIS): <http://edis.usitc.gov>

NJ; LG Corporation of South Korea; LG Electronics USA, Inc. of Englewood Cliffs, NJ; LG Electronics Mobile Research. U.S.A., L.L.C. of San Diego, CA; Sony Corporation of Japan; Sony Corporation of America of New York, NY; Sony Electronics, Inc. of San Diego, CA; Lenovo Group Limited of China; Lenovo Holding Company, Inc. of Morrisville, NC; Lenovo (United States), Inc. of Purchase, NY; Motorola Mobility, Inc. of Chicago, IL; Apple, Inc. of Cupertino, CA; Station Digital Media, Inc. of Long Beach, CA; and Rego Apps, LLC of Celebration, FL. The complainant requests that the Commission issue general exclusion orders, a permanent cease and desist order, and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. § 1337(j).

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length, inclusive of attachments, on any public interest issues raised by the complaint or section 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

- (i) explain how the articles potentially subject to the requested remedial orders are used in the United States;
- (ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

- (iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;
- (iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and
- (v) explain how the requested remedial orders would impact United States consumers.

Written submissions must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the *Federal Register*. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the docket number ("Docket No. 3093") in a prominent place on the cover page and/or the first page. (*See Handbook for Electronic Filing Procedures, Electronic Filing Procedures*⁴). Persons with questions regarding filing should contact the Secretary (202-205-2000).

⁴ Handbook for Electronic Filing Procedures:
http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 C.F.R. § 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS⁵.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and of sections 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR §§ 201.10, 210.8(c)).

By order of the Commission.

Issued: October 26, 2015.

William R. Bishop,
Supervisory Hearings and Information
Officer.

⁵ Electronic Document Information System (EDIS): <http://edis.usitc.gov>

